usual, the court room was filled with friends of Webster and with witnesses. Webster conducted himself as calmly as he has done all along. He follows the progress of the trial with the closest attention and not infrequently makes suggestions to his counsel. Several times he asked Mr. Howe to put questions to the witnesses which he had suggested.

Mrs. Webster arrived after court had opened. Mrs. Hughes, whose husband is one of Web-ster's close friends, came with her. Mrs. Webster wore a dark dress and carried a sealskin

POINTS AGAINST WEBSTER.

TRESTMONT OF THOSE NHO SAW

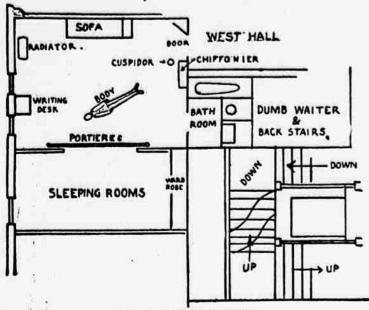
GOODWIN DYING.

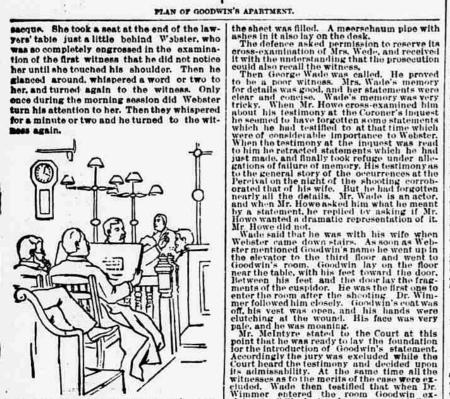
The Last Words Queted by Witnesses—Important Statements About the Breaking of a Cuspider—Mrs. Webster in Court—The Prosecution to Pinish on Menday.

The trial of Burton C. Webster for murder was continued yesterday in Part III. of the Court of General Sessions, before Judge Cowing. The work of securing a jury had occupied the first three days, and yesterday morning the taking of testimony began. As

hiffonntere. Q.—Did you see these fragments that night?

Q.—Did you see these fragments that hight.
A.—Yes, sir.
Q.—Where were they? A.—They were lying on the floor in the place usually occupied by the cuspidor before it was broken.
Q.—How long did they lie there? A.—Until the following morning.
This testimony was very tad for the defence, and Webster knew it as well as his lawyers. He showed more uneasiness than he has at any other time in the four days of the trial, and he did not appear to be relieved when Mrs. Wade went on to tell how she locked up the writing desk and took care of Goodwin's jeweiry. On the desk she found an unfinished letter. It was on note paper. The first page, she said, was fully written, and the inside of

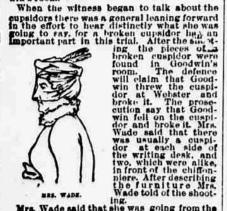




THE JURY SEES THE PLAN OF GOODWIN'S ROOM The first witness was Hannah Janet Wade. Mrs. Wade was the housekeeper of the Percival for six years preceding the shooting of Goodwin. In October of last year she moved to 118 West Thirty-third street. She is the both Webster and Goodwin. Webster, his wife, and a Mr. Colby occupied rooms 1th and 17 on the third floor. The entrance was in room 17. There were two inside rooms. It consisted of a sitting room, alcove bed-room, and a bathroom. Mrs. Wade pointed out on a plan of the building which had been introduced in evidence the location of the two apartments. Webster's was on the main hall, directly opposite the elevator. The main hall runs east and west through the building. At the west end of it a short north and south hall led to Goodwin's apartment, the number of which had been changed from unlucky 13 to 35. The plan showed that it is twenty-four feet from Webeter's door to the small hall, and seventeen

feet from the main hall to Goodwin's door. Wade then described the furniture in Goodwin's anartment. The sitting room had two windows on the south side. Between them stood a writing desk. The hall door was at the corner of the robm and opened inward. To the left of it, as one entered the room, stood a chiffonniere. In the centre of the room was table, and at the right, against the westerly wall, was a lounge. Then Mrs. Wade said that there were usually four cuspidors in Good-

When the witness began to talk about the



Mrs. Wade said that size was going from the effice on the ground floor to her room on the second floor, when, just as size reached her door, she heard a "heavy fall and a crash." Her husband was with her. They went immediately down stairs, thinking that the elevator had fallen. At the foot of the stairs she saw the farment the elevator man. While she was speaking to him Webster came down stairs and stopped at the top of the stairway leading to the street.

and stopped at the top of the stairway leading to the street.

—By Mr. McIntyre—Did Webster say anything to you? A.—He said: "You had better go for a doctor."

—What did you say? A.—I said: "What doctor. Mrs. Webster's?"

L.—What did Webster say? A.—He said: "No, any doctor, the nearest." I told Mae to go for a doctor. saying: "Get the one we had in the house the other day." Then Mr. Webster and said: "That man Goodwin is hurt." Webster and MacFarlane went down the steps together and separated at the door. Webster was fully dressed and carried a stick. His elothing was in perfect order. I did not see that his face was any different.

Mrs. Wade said that she then walked up stairs to Goodwin's room. Dr. Sebastian Wimmer and her husband were in the act of lifting Goodwin from the floor to the loungs. Goodwin was suffering from a wound in the abdomet.

——How did Goodwin

men.
Q.—How did Goodwin
appear? A.—He looked
like death.
Mr. Howe—I object.
The Court—I'll hear

The Court—I'll hear argument.

Air. Howe made no argument, and Mr. Mc-Intyre went on.

O.—Describe his condition. A.—He looked as if in pain.

Mr. Howe—I object.

The Court—I am going to hear argument on every question. It seems to me that every exaction worthy of an objection is worthy of

elutching at the wound. His face was very pale, and he was moaning.

Mr. Meintyre stated to the Court at this point that he was ready to lay the foundation for the introduction of Goodwin's statement. Accordingly the jury was excluded while the Court heard the testimony and decided upon its admissability. At the same time all the witnesses as to the merits of the case were excluded. Wade then testified that when Dr. Wimmer entered the room Goodwin exclaimed: "Oh. doctor. doctor, save me!" Dr. Wimmer examined the wound.

Q.—What did he say? A.—He said that it was fatal. He thought the builet had perforated the liver.

d the liver.

—Did Goodwin say anything? A.—He l: "Hurry up, hurry up. Let me die. I'm ng, I'm going."

—What else? A.—He said: "I wish he going, I'm going.

Q.-What else? A.-He said: "I wish he had shot me again, so as to kill me at once."

Q.-Anything else? A.-Yes. He said: "Webster came to my room and shot me." He said he was suffering greatly. He said: "It was crue. I meant him no harm."

Mr. Howe objected to the introduction of this dying declaration, on the ground that it was not shown conclusively that Goodwin had no hope of recovery, and that it was the fact

no hope of recovery, and that if was the fact that the declarant had absolutely no hope of recovery which raises his declaration to the same plane as that of a person under oath. Mr. howe cited several cases where such declaration had been ruled out, and read a de-cision of Nonh Davis in a case where the trial

Mr. howe cited several cases where such declaration had been ruled out, and read a decision of Noah Davis in a case where the trial court was reversed.

Judge Cowing agreed that in all the cases cited the declaration was clearly inadmissible, but said that this case differed from them all. He queted from Greenleaf on Evidence the circumstances under which such a declaration is admissible, and then overruled the objection. The jury was recalied, and Wade's testimony was read to them by the stenographer.

Mr. Howe then cross-examined Wade at longth and confused him completely. Wade said that one night, a month before the shooting. Mrs. Webster had appealed to him for protection against Goodwin. Goodwin was inhis room. to isterous and suppositiously drunk. This referred to the night when Goodwin's friend. Nelson G. Record of Chicago, was with him. Goodwin was under the influence of liquor, and put his arm around Mrs. Webster, saying: This is the girl I love," Record took him to his room and locked him in. Wade testified to this at the Coroner's inquest; but yesterday he had forgotten H. When Mr. Howe read from his testimony at the inquest Wade said at first that he did not remember the event, but he finally recalled it. He got that night mixed up with the night of the shooting. Mr. Howe tried to show that Webster notified Wade, whose wife was the housekeeper of the Percival, that he intended to leave the house because of Goodwin's indecent assaults on Mrs. Webster. Judge Cowing said that was improper cross-examination, and that Mr. Howe would have to wait until he reached the defence before he began to make it, Just as Wade was leaving the stand Juror Knauff asked him how Webster appeared when he saw him on the stair.

"As far as I could see, he seemed perfectly cool," replied Wade.

The witnesses had come back with the iury, and Mr. McIntyre asked that they be excluded. This was done. Mrs. Webster, who had been sitting near the rail with Fanny Homaine and Mrs. Hughes, got up to retire. Mr. Howe asked if she would

court room.

Dr. Sebastian J. Wimmer was the next witness. His testimony concerned the finding of Goodwin, and was the same as Wade's. He made a careful examination of the wound: made a careful examination of the wound; there was no external temorrhage and he saw that the wound was fatal.
Q.—Did Goodwin say anothing to you when you entered the froom? A.—He said: "Oh, deetor, doctor! save me! save me!"
Q.—After you examined the wound, did you tell Goodwin that it was fata!? A.—Yes, sir. I told him his wound was fatal.
Q.—What did he say? A.—He said: "Let me die."

Q.—What then? A.—I asked him who shot him.
Q.—What did he say? A.—He said: "Web-

Q.—What did no say: A.—I asked him how it hap-pened. He said: "I was sitting at my deak writing it heard a knock at the door. I went to the door and was confronted by Webster.

to the door and was confronted by Webster. who shot me.

Q.—Did you see the fragments of a cuspidor?

A.—Yes, sir. I noticed them when I first went in. I asked Goodwin how the cuspidor was broken, and he said that after he was shot he stumbled and fell in it.

On cross-examination Dr. Wimmer said that he did not remember his testimony at the Coroner's inquest. Mr. Howe had "rattled" him then, he said. After Dr. Wimmer. Ward Detective Alien Hay of the West Thirty-seventh street station testified. He was sent to the Pereival Ly the Sergeant at the desk in the station house that night. He found Goodwin lying on the lounge and saw the wound in his addomen.

abdomen.
Q.—Did Goodwin savanything? A.—He said:
"Hurry up, boys. Hurry up, I'm going." I
asked him how it happened and wrote his
answer in my notebook, word for word, as he
said it. He said: "I was sitting at my desk
writing and a man I never saw before by the

pame of Webster came and shot me." Then

he fainted.

Hay said that he arrested Mrs. Webster and Fanny homaine, and kept them in their room all that night and until they were admitted to bail.

Policeman Hogan was the last witness. He testified to the calling of the ambulance. Court then adjourned until Monday morning. The prosecution expects to finish on Monday.

SWINDLED CHARITABLE WOMEN.

A Clever Young Man Full of Guile and His Tricks in Brooklys. dark-eyed youth of eighteen years, with his hair dressed in pompadour fashlon, called a few days ago upon Mrs. Sarah Gracie, who and other charitable organizations in Brooklyn. at her house, 70 State street. He said he had come to see Mrs. Gracie by the direction fellow workers in the philanthropic field, of 131 Remsen street, and he manifested some surprise that Mrs. Gracie had not recognized

ilm on sight.
"Why," the dark-eyed youth exclaimed,
don't you remember me, Mrs. Gracie? I am Freddy Hall, who used to be in the orphan-

Mrs. Gracie didn't remember Freddy, but she took it for granted that her visitor had been graduated from one of her favorite instibeen graduated from one of her favorite institutions, and grassed his hand warmly. The
hoy then became communicative and told a
story of his youthful struggles against adversity and the failure of his health after having learned to become a printer. He wound
up his pathetic tale by saying that the doctors
had informed him that one of his lungs was
affected, and that he could save himself
from failing into consumption only by
taking a trip to the Adirondacks.
Mrs. Gracie gave the alleged Freddy Hall
a neat little donation before he had
fairly closed his recital. As he was thankfully
taking his departure he notified Mrs. Gracie
that Mrs. Beers had called a meeting of the
indies interested in the Charity Foundation at
her Remsen street house for the following afternoon.

her Remsen street house for the following alternoon.

Freddy paid a similar visit to several other
sympathetic women and got money from them
all. He notified each of the meeting which
had been called at Mrs. Beers's house. On the
following afternoon Mrs. Gracle and
the others who had been notified gathered
at Mrs. Beers's house and were surprised that Mrs. Beers had gone out
for a drive in the Park a few minutes
helore the time set for the meeting. Most of
them, however, awaited Mrs. Beers's return,
and then there was an interesting comparison
of Lotes. Mrs. Beers had not called any meeting and she was not acquainted with Freddy
Hall, so the women were not long in realizing
that they had been duped by a young swindler.

RECEPTION TO THE ARCHBISHOP. The Holy Cross Lyceum Welcomes Him to its New Club House,

The 300 members of the Holy Cross Lyceum under the leadership of Father R. J. Keefe of the Holy Cross Church, gave a cordial reception last evening in their new club house at 321 West Forty-third street to Archbishop Corrigan. The Archbishop arrived soon after 8, and was shown through the well-appointed house, witnessing, among other things, a house, witnessing, among other things, a gymnastic drill by a dozen young lads under the direction of Prof. Jardine of the Savage Physical Institute.

Soon after the Archbishop and Father Keefe, followed by Father McMillan of the Paulists. Father McCroady of Holy Cross Church, and other clergymen, passed through the crowded aisless of the auditorium to the platform.

James A. O'Gorman, in a few words of welcome, presented the Archbishop to the members of the Lyceum. The Archbishop responded briefly, congratulating them upon the completion of the club house and urging them to future activity. They were engaged in a good cause, he said, and he hoped their energy in building their house would be an incentive to other lyceums.

other lyceums.

After the formal exercises supper was served in the billiard room. Among those at the reception were Mayor Grant, ex-Mayor Grace, Deputy Commissioner Dalton, Judgo Joralemon of the Eighth District Civil Court, and Alderman Dooling.

MESEROLE IN PRAYER MEETING. He Speaks and Wins the Hearts of Plym-

The attendance at Plymouth Church prayer meeting last night was larger than usual, in expectation of a possible row between the male and female members over the admission of Darwas recently tried for the murder of Theodore Larbig in Dovie Comstock's flat in Sackett

Larbig in Dovie Comstock's flat in Sackett street. The announcement in most of the newspapers that the natter was to be decided last night was erroneous, for the application for membership will not come before the church until next Friday night.

The attendants last night, however, had an opportunity of seeing young Meserole, for he was present, and apparently no one was morgology interested in the devotions than he. He arose slowly, and, with bowed hend and a voice cooked with emotion, declared that his soul was filled with love for Christ, and that he believed that his sins had been forgiven. Meserole had merely accepted the courtesy extended to all attendants at the prayer meeting, whether members of the church or not, to ing, whether members of the church or not, to give their experience and take part in the dis-cussion on the religious topic under consider-ation. He made a most favorable impression, and all opposition, it is said, to his admission to membership will die out before the next to membe meeting.

THEY WILL BE SENT BACK

To Starve or Prosper in England, as Providence Ordains, Not Here,

Seven children of Simon Hazeltine, an Englishman, who was killed by the cars in Elev enth avenue on Jan. 6, landed at Ellis Island from the steamship Majestic on Wednesday The eldest is Francis, a boy of 10, and the youngest, Daniel, aged 4. There are two little youngest, Daniel, aged 4. There are two little girls, Jean and Pauline. They came alone. Francis, Tom, and Arthur declared yesterday that they had come here with their father last year, leaving their mother and two sisters and two brothers in Liverpool. The father intended to send for them when he had made enough money to pay their passage. The hoys' guardians, Abraham and Catherine Hazeltine of 370 West Twenty-ninth street, collected \$500 from the railroad company after the death of the boys' father and sent them back to lingland. The widowed mother received \$300, and with it sent all her children to New York, intending to follow them later. They will be sent back.

The Italian Stabbed Him. Owen Haggerty, a young man of 23, living at 323 East 115th street, with his friends, James Russell and Edward Hennagh, stood on the corner of 115th street and Second avenue about 0 o'clock last night, watching a number of little girls skip the rope. They saw an of little girls skip the rope. They saw an Italian named Michael Bland run aeross from the opposite corner and grab the rope. Bland hegan to use the rope as a white lash, trying to make it crack. Hangerty took the girls part, and tried to get the rope. Bland wound it around Hangerty, and there was a fight, in which Bland stabbed Hangerty in the abdomen with a stilette, inflicting a dangerous wound. Bland ran, and Policeman Meyers chased him to an Italian tenement. Bland ran up to the third story and got into a room, but Meyers battered in the deer and arrested him. Hangerty was taken to the Harlem Hospital.

A Justice Fixed for Marrying an Eloping

BLACKSTONE, Mass., Feb. 26.-Justice of the Peace James O'Reilley, who officiated in the elopement case of Almy Woods and William H. McCormick from Hopkinton last December. was fined to-day 850 and costs for illegally marrying the couple. He appealed and fur-nished \$2.0 surely. This is the first step in the revenge which the angry father of the girl had outwitted him.

The Bride III, but the Wedding West On. CHICAGO, Feb. 26.-Miss Ida Fitzhugh, a Chicago actress, who is a member of the "Tuxedo" company, was married yesterday to Grove B., or "Burt" Shepard of the same company. Miss Fitzhugh has been ill of grip for two or three weeks. The ceremony was performed in the presence of only the bride's relations, the groom kneeling by the side of the bed on which she lay. To-day Mrs. shep-ard was much improved. She expects to re-join the "Tuxodo" commany next week in New York.

Cleaning Out Uncleanly Tenements. Boston, Feb. 20.-The Arabian colony of Boston may be scattered because of vacating orders issued by the Board of Health. The TAKE YOUR SOUNDINGS.

Something of Great Necessity.

As ships entering a new and dangerous channel always take soundings to prevent disaster, so on entering the spring season, with its changes from the cold of winter, you should take soundings concerning your health—your condition. See whether your nerves are strong. condition. See whether your nerves are strong, blood pure, and stomach, bowels, liver, and kidneys acting properly. If you have headache, constitution, feel nervous, weak, dult, languid, and wake mornings tired and without strength and energy to take hold of your work, you are running on the shoals of disease, and waters cured immediately joint disease, and waters cured immediately joint disease, and waters cured immediately joint disease, and the prostration of nerve and body, the weakness and debility following the grit.

Keep your nerves strong, your blood invigorated, your stomach, kidneys, liver, and bowels active by taking the great Spring Tonic and Restorative, Dr. Greene's Nervura. You need a spring medicine, for you are run down in health and strength. Purely vegetable and harmless. Druggists, \$1.00.



"I had awful sensations of fear, with pains in head and back. Could not sleep well, and felt tired all the time. I went to the hospital here, but got no relief. My face broke out with pimples, and I was almost giving up in despair when I got Dr. Greene's Nervura. Now I am well and strong, thanks to Dr. Greene's Nervura.

"MRS. ELIZABETH BROWN.

"238 Hartwell av., Providence, R. I."

"My wife was cured of nerrousness and liver and kidney troubles by Dr. Greene's Nervura. She was under the care of four different doc-tors before she got Dr. Greene's Nervura, and she "xperiences more benefit rom one bottle than from all the doctors together.
"LOUIS GLANNER.
"349 East 76th st., New York city."

57 Dr. Greene, the successful specialist in curing all forms of nervous and chronic diseases, 35 West 14th st., New York, can be consulted free, personally or by letter. Call or write him about your case, or send for symptom blank to ill out, and a letter fully explaining your disease, giving advice, &c., will be returned free.

MORE NEGRO PILGRIMS EXPECTED.

George Washington Trying to Keep the Twelve families, comprising about seventy five persons, of the hand of negro colonists who have been encamped at the Merritt Mission in Eighth avenue, have found lodging places on West Twenty-sixth. West Twentyseventh, and West Thirty-eighth streets, where they are being supported by charity. It is thought that the remaining hundred negroes will be provided with lodgings to-day.

The meeting of colored people at the Sullivan Street A. M. E. Church on Thursday night, at which the speakers all condemned the Liberian colonization scheme, influenced a large number of the colonists to change their minds with regard to going to Africa, but yesterday the influence of George Washington and Ward Booker brought back most of the unfaithful into the fold. Washington was busy all day talking to the vacillating.

"Don't you let'em fright ye with their talk," he said. "Liberya's a good place, an' we're goin' to get there all in the Lord's good time. Keep up a good heart; find work: get money to pay your way, an' in the fall we'll charter a vessel ourselves an' sail to Africa."

Those who are in favor of remaining here are too much afraid of opposing Washington to speak against his ideas. The Rev. Mr. Hill has lost his influence since the Rev. Jesse Donald was appointed treasurer of the fund in his place. The position of the majority now is that they will stay here until they earn enough money to go to Liberia.

Some of the colonists said last night that word had come that 500 more negroes start to-day from the Cherokee Nation for Liberia. Letters have been written by some of the colonists now here to those in the Cherokee Nation to dissuade them. minds with regard to going to Africa, but yes-

SUITS FOR LOSSES BY THE FIRE, Seventeen Benths at 85,000 Each Would

Hyman Israel, the owner of the Hotel Royal, for \$5,000 damages for the loss of his wife, Mrs. Hettie Van Norden, in the Hotel Royal fire. He is also preparing to bring suit against Richard Meares, the lessee of the hotel, for the loss of his wife's property. Several other suits of a similar nature ariding out of the Hotel Royal fire are in course of preparation.

Mrs. Van Norden's body was either not recovered or not identified-at least not identided by the husband. Other persons thought they recognized one of the recovered corpses as hers. Mr. Van Norden says that one of the porters saw her running about the hall while the hotel was burning, and that her maid put her to bed in the hotel at midnight the night

her to bed in the hotel at midnight the night of the fire.

Mr. Van Norden's ground for his claim is that Israel did not provide sufficient fire escapes, and did not comply with the orders of the Fire Department.

There have been cases where the owner has been muleted in damages for failure to provide proper fire secapes. One case was decided by the Court of Appeals in 1874 against the case of a tenemant house in Brooklyn.

Cigarette Girls Out.

About 130 cigarette girls, who say they are locked out by the Consolidated Cigarette Company of Tenth street and Avenue D, held neetings all day yesterday at Phornix Hall, 73 Ludlow street, to discuss their grievances They laughed and chatted and seemed to enjoy the situation, but came to no definite conclusion, as no one could be found to take the responsibility of presiding. About two months ago the firm cut down the wages from months ago the arm cut down the wages from \$1.10 a thousand to 70 cents. On Tuesday evening the hands met and passed resolutions to demand that the former wages be restored. The firm discharged 150 who had attended the meeting. The girls will hold another meeting to-day. They say that at the present rates they cannot make more than \$3.50 a week.

week.
The striking cloakmakers of Meyer Jonasson & Co. hold a special meeting at 125 lityington street yesterday, and about \$350 was distributed. Most of the strikers are in want. A meeting was arranged to take place at Walhalla Hall to-night to devise ways of setting the strike.

Bit Of Hall of Weber's Nose.

Paul Weber appeared in the Tombs Police Court yesterday afternoon carrying a piece of his nose wrapped in a bit of cloth. The part of that organ remaining on his face was swathed in bandages, which gave his voice a muffled tone as he explained to Justice Duffy that he was there to charge John Fisher, a baker, 24 was there to charge John Fisher, a baker, 24 years old, with having bitten off about half his nose. Both men live at the Union Hotel, 88 Bowery. Fisher was playing cards with a friend of Weber's yesterday morning when a quarrel arose over a false deal. Weber interfered, and then, he says, Fisher threw him over a table and bit off a niece of his nose. He was taken to Chambers Street Hospital, where his wound was dressed. Fisher was held in \$5,000 ball for trial Weber said that in a fight a few menths ago Fisher had bitten a piece out of a man's ar.

Two More Cases of Typhus,

Two new cases of typhus developed yesterday in the quarantined house 42 Fast Twelfth street. The sufferers are famuel Kaufman. 7. and Lena Rosenblat, 5 years old. Both were removed to North Brother Island.

Dr. Edson says that the backbone of the disorders issued by the Board of Health. The licented has ordered a large wooden block. 14. 18. and 20 Cove place, occupied by Arabs, to be vacated because of a lack of light and the uncleanly and unrepaired condition of the buildings. About a dozen families will be disturbed by the order. At I East street five families have been ordered to vacate because of a lack of cleanliness.

19r. Edson says that the backbone of the disease is broken and that there is no longer cause for alarm. Of the 103 patients now on and the property of the lockbone of the disease is broken and that there is no longer cause for alarm. Of the 103 patients now on and illustration and that there is no longer cause for alarm. Of the 103 patients now on and that there is no longer cause for alarm. Of the 103 patients now on and the 2 are quite recovered and will leave the fished at daybreak to-day. They will be lodged at 5 Essex street and 40 Pike street. John Conway, the peddler who been ordered to vacate because of a lack of cause for alarm. Of the 103 patients now on and the tree is no longer cause for alarm. Of the 103 patients now on and the 2 are quite recovered and will leave the fished at daybreak to-day. They will be lodged at 5 Essex street and 40 Pike street. John Conway, the peddler who been ordered to vacate because of a lack of light and the property of the cause for alarm. Of the 103 patients now on and the 103 patients now on any longer the fished at a patients. The property of the cause for alarm. Of the 103 patients now on the cause for alarm. Of the 103 patients now on the cause for alarm. Of the 103 patients now on the cause for alarm. Of the 103 patients now on the cause for alarm. Of the 103 patients now on the cause for alarm. Of the 103 patients now on the cause for alarm. Of the 103 patients now on the cause for alarm. Of the 103 patients now on the cause for alarm. Of the 103 patients now on the cause for alarm. Of the 103 patients now on the cause for alarm.

NEW ATTACK ON POOL SELLERS.

A Bill to Make the Resper of a "Commission Office" Criminally Liable.

District Attorney Nicoll has prepared a bill for submission to the Legislature against pool selling in this city, and will forward it to Albany to-day. It amends section 351 of the Penal Code to read as tollows:

Penal Code to read as follows:

Section 851. A person who keeps any room, shed, temement, tent or booth or building, or any part thereof, or who occupies any piace upon any public or private grounds within this State with books, apparatus, or paraphernalis for the purpose of recording or registering bets or wagers or of selling pools, and any person who records or registers bets or wagers or sells pools upon the result of any trial or contest of skill, speed, or power of endurance of man or beast, or upon the result of any political nomination, appointment, or election, or being the owner, lesses, or occupant of any room, shed, tenement booth or building, or part thereof, knowingly permits the same to be used or occupied for any of these purposes, or for the property of the purpose of processing the result of any trial or contest of the purpose of processing the result of any frield or contest of the purpose of recording or registering apparatus for the purpose of recording or example apparatus for the purpose of recording or registering apparatus for the purpose of recording or registering apparatus for the purpose of recording or registering apparatus for the purpose of the purpose of the case does not be present t

wagers, or the selling of such pools, or becomes the custodian or depositary, for hire or reward, of any money, property, or thing of value staked, wagered, or pledged upon any such result. Is pountshable by imprisonment for one year, or by a fine not exceeding \$2,000, or both. The italicized lines are the new matter.

The object of the bill." District Attorney Nicoll said yesterday. "Is to make it possible for the public prosecutor of this county to break up the pool room business in the city. That is not possible under the existing law, becareely a day and rarely a week passes when I am not visited by a parent, a brother, a sister, or an employer with the sad tale of the ruin of a father, brother, or employee through betting on the races in the pool rooms in this city. There is no objection to full-grown men going to race tracks and staking their money on races. If they have a mind to risk their money in that way. I presume that is a way to encourage the breeding of fine horses. But there is everything to be said against the buying of pools in this city by young or old men who must deprive their families of necessaries to do so or rob their employers.

"As the law stands it is possible to convict of nool selling only in a limited number of cases. The defence is always that the defendant received money only as a commission dealer in bets, to forward the money to the track and stake it on a particular horse, for a commission. The District Attorney is compelled to prove that this is not so, if he can. Then the Judge is bound to charge that the jury cannot convict if they believe the defendant's side of the case. To avoid the necessity of proving this negative proposition I have drawn up this bill, assisted by Mr. Bartow H. Weeks. This bill makes it possible to convict a pool seller of a misdemeanor simply for keeping apool room or a place used for the purpose of receiving money for transmission to race tracks."

IS THIS DEMENTIA?

It Looks Uncommonly Like an Ordinary

Mercita Stanley Jebb, the stage-struck sixmade a record for herself by running away from home five times in six days, has not yet given up her theatrical aspirations. She has wheedled her parents into commuting sentence of sackcloth and ashes, and she occaionally lays aside the odious pink wrapper for street costume. In spite of supervision of

sionally lays aside the odious pink wrapper for a street costume. In spite of supervision of her correspondence she has communicated with several managers since her Hartferd escapade.

She managed a few days ago to get a partial promise of a rôle in the "Hands Across the Sea" company, on the strength of which she made a raid on a ball dress belonging to her sister and turned out two costumes for her expected rôle. A flat from the manager arrived yesterday. The part of Polly is already supplied. Now the young person is negotiating with the manager of a projected comic operatroupe that is to make a tour of the West Indies. "If that falls, I'm going on the stage with Towser," she says.

Towser is an intelligent bull terrier who is on intimate terms with every policeman on the beat. He wagged his tail eloquently when his young mistress announced her intention. "Sweetheart, you aren't in this: go 'way." Sweetheart, a large Maltese cat, jumped on the piano and arched her back disdainfully.

"Towse, stand up and waltz." commanded Miss Jebb: which Towse did with much vivacity, accompanied on the piano by his trainer. "Now what shall we do?" The dog signified by unmistakable signs his desire to play circus. So Miss Jebb and down in a rocker and crossed her legs. Towser gyrated about the chair at full speed, turning summersaults and jumping over Miss Jebb's slippers in excellent imitation of a horse and bareback rider in a circus ring. Then he chased his tail, showed his mathematical abilities, and did many other astonishing tricks.

There, said Mercita, smilingly, in conclusion, "you see I always have Towser to fall back upon." Her parents think they will let her go upon the stage.

An action has been begun by Henry W. Sage. Dean Sage, and William H. Sage in the Supreme Court, in Brooklyn, against President Andrew R. Culver, Treasurer Allen C. Washington, and the Prospect Park and Coney Island Railroad Company to compel an examination of the books and papers of the company. Yester day Lawyer De Witt, in behalf of the plaintiffs, day Lawyer De Witt, in behalf of the plaintiffs, who own one-tenth of the stock, asked Judge Cullen for an order to examine Messrs. Culver and Washington and also the books and accounts of the company so as to be enabled to frame a compiaint. No fraud is alleged, but it is asserted that no information can be obtained as to what has been done with nearly \$500,000 received by the officers of the company. Gen. Wingate, in behalf of the defendants, and that when their interest in the road was offered to the plaintiffs for \$873,330 they refused to purchase, and now when they cannot get \$10,000 for their stock they threaten to make public the affairs of the company. They also said that there had been no mismanagement of the road. Decision was reserved.

A Wall of the House Tumbled Out. Jacob Schmidt keeps a livery stable at 111 Washington street, Hoboken. It is an old, two-story frame building with a brick foundation. The stable is on the first floor, and Schmidt and his family live up stairs. The family consists of Schmidt, his wife, and five children. Some of his employees have sleeping apartments up stairs. A few days ago
some workmen began tearing down an old
building adjoining the stable on the north.
They undermined the foundation of the stable,
and at a late hour on Thursday night when all
the family were asleep the north wall fell out
with a terrific crash. They became panic
stricken. In a few minutes, however, the dust
cleared away, and then it was discovered that
everybody was safe. The family were proylded with shelter by some of the neighbors.
Yesterday the building was boarded up and
made habitable once more. children. Some of his employees have sleep

Their Skif Found Overturned. The capsized skiff which was found in a floo of ice in St. James Bay, on the Sound, has been identified as the one in which John Thompson and George Curham of St. James went gun also found in the boat, which Mrs. Thompson recognized as belonging to her son. The two young men have not been heard from, and the finding of the overturned skiff leaves little doubt that both were drowned.

It is said the skiff was too small to held two men with saiety. They went outside St. James Bay into the Sound, and it is thought they were caught in a squall. The bay is being dredged for their bodies. There is a hope that they were picked up by some passing craft. also found in the boat, which Mrs. Thompson

Liens on O'Brien & Clark's Claim.

A suit against the city has been begun in the Supreme Court by James W. Hinckley of Poughkeepsie, the receiver of O'Brien & Clark the aqueduct contractors, for \$203,785.13. Mr. Hinckley alleges that this amount is due O'Brien & Clark for work done by them on several sections of the new aqueduct. Mr. Hinckley also wants the Court to appoint a referee to adjust the liens and claims which have been filled by about seventy different banks, sub-contractors, firms, and corporations against O'Brien & Clark's claim against the city. All of these claimants are made defendants with the city in the suit. The city admits the debt, and is concerned only to pay it to the proper persons. Hinckley alleges that this amount is du it to the proper persons.

Strike of World's Fair Workmen, CHICAGO, Feb. 26.-Three hundred workmen at the World's Fair grounds went on strike to day because their employers refused their de-mand for an increase in wages of two cents an hour. It is not believed that the strike will cause any delay in the work of decorating the Fair buildings.





Take The Best

Use AYER'S Sarsaparilla, and no other, as a Spring Medicine and bloodpurifier, during the months of

March, April, May

AYER'S Sarsaparilla is more successful than any other preparation for imparting to the machinery of life all the conditions necessary to Health and Strength. It relieves That Tired Feeling, gives tone and vigor to every tissue and muscle of the body, improves digestion, quickens the appetite, builds up the system, and makes the weak strong. The

success of AYER'S Sarsaparilla, for the past 50 years, is due to the fact, that its curative powers may always be relied upon. It purifies, vitalizes, and enriches the blood; it cures Scrofula and Scrofulous diseases, Eczema, Chronic Catarrh, Rheumatism, General Debility, Dyspepsia, or Indigestion, and all diseases of the Stomach, Liver, Kidneys, and Bowels. AYER'S Sarsaparilla not only restores but it permanently maintains the health. Its use makes food nourishing, work pleasant, sleep refreshing, and life enjoyable. It does what no other blood-purifier in existence can do. It imparts renewed health and strength, to the aged and infirm, and thoroughly vitalizes and invigorates the system when it has become broken down or weakened by disease and overwork. Its curative properties have won for it the title of the Best, The Superior Medicine. Take AYER'S Sarsaparilla, AYER'S only, and take it NOW. It Has Cured Others, and Will Cure You.

SOMETHING TO DRINK.

The Term Can Be Applied to Anything That is Hot and Bitter in Maine.

BANGOR, Feb. 26.-In a case tried in the Supreme Judicial Court of Penobscot county recently, a question arose concerning a fluid that an alleged dealer in ardent spirits had sold to a customer. The purchaser did not buy it for himself, and did not know by taste. color, or smell what he had bought, but he acknowledged hat he had asked the respondent for "something to drink." The bottle was filled and wrapped, and the purchaser delivered it to a friend without examination. The accused denied that the article sold was

The accused denied that the article sold was an intoxicating liquor. The State Attorney contended that the purchaser got what he called for, and that "something to drink," under the circumstances, and ordinarily, would mean some of the common kinds of distilled liquors.

That would be true undoubtedly in Bangor, where liquor can be obtained in any quantity in a great many places, respectable and otherwise, but in country towns it may or may not be true. In a great many towns where the prohibitory law is enforced strictly many things are used as a substitute for liquor, and "something to drink" may mean bay rum, essences, cologne water, Jamaica ginger, beef, wine, and iron, celery compound, bitters, liniments, panacea, cherry cordial, or soothing syrup.

ments, panacea, energy consumed syrup.

In fact, there is scarcely a proprietary medicine that has not been tried by the backwoods tippler who has been unable to get the "clear stuff," under the impression that the comedian was correct when he sang: "But most all patent medicines are booze, or pretty near to it." It is not uncommon to see a thirsty wayfarer

It is not uncommon to see a thirsty wayfarer in a country town swallow a bottle of liminent clear at a gulp, or a bottle of Jamaica ginger at half a gulp. Consequently the term "something to drink" is susceptible of many interpretations. The longer the law against the sale of liquor is enforced the more comprehensive the term becomes, so that when a list, through necessity and usage, has everything that belongs there anything that is hot, bittor, or strong may be classed as "something to drink."

DESIGNS UPON A MAYOR.

SAVANNAH, Feb. 26.-On Wednesday night two negroes, after midnight, went to the resi-dence of Mayor McDonough and knocked oudly. Being answered by the Mayor, they told him that he was wanted at the police barracks right away. The Mayor was suspicious. If he had been needed at Police Headquarters police officers would have been sent for him. He ordered the negroes away and retired. This is Mayor McDonough's own statement of the affair. To-day a negro went to the Mayor, and, telling him that he had an important communication to make, said he had been offered \$500 to get the Mayor out of his house, and had been told he would be paid as soon as Mr. McDonough was outside of the door. The negro who gave the information gave a full description of the men who had made him the offer.

Mayor McDonough has been sovere on the tough element ever since he has held office. During a meeting of the Council the other night the harness was cut from his horse at tached to a buggy outside. It is currently believed that the toughs meant to assassinate him. If he had been needed at Police Headquarters

MR. MURPHY SEITLES THE CASE. Miss Stanford Sued Him for \$25,000 at Gets \$50 a Week for Two Years.

New Haven, Feb. 26.-The suit for \$25,000 damages for breach of promise instituted in New York last January against John H. Murphy, a well-known club man and extensive real estate owner in Mt. Vernon, N. Y., by Miss real estate owner in Mt. Vernon, N. Y., by Miss Elizabeth Stanford, formerly of this city, will probably never be brought to trial. Soon after the case was brought a settlement was proposed by the defendant, the terms of which have been agreed upon. Mr. Murphy will pay Miss Stanford \$50 a week for two years.

The plaintiff met Murphy while visiting friends in Mount Vernon. She afterward hecame engaged to marry him. The date of the wedding, according to the plaintiff's statements, was set several times, but Murphy on various pretences had it postponed. After a time Miss Stanford, realizing her position, demanded of Murphy that he keep his promise. He refused, and was preparing to leave for Spain when he was arrested and placed under \$5,000 bonds.

Jack the Hair Cutter in Schenerindy. SCHENECTADY, Feb. 26.-Mabel Morris, a prepossessing girl of 17, was on her way home possessing girl of 17, was on her way home last evening, and some unknown person suddenly slashed off her hair, which was worn in a braid down her back. Her assailant was a slim young man, wearing a black derby hat and a long light-colored uister. The severed braid, which was two feet long, was found in the cellarway of ex-Mayor Barbydt's grocery wrapped in a newspaper. The police believe that the hair cutter was a girl in male attire. The Morris family came here from Hoboken last August, and know of no enemy.

Threw Himself Under the Locomotive. New HAVEN, Feb. 26.-Ernest Kuhn, a Ger nan, 50 years old. committed suicide to-day by throwing himself in front of an engine on an accommodation train at the Water street crossing. The wheels of the engine and cars passed over Kuhn's legs. He was not killed outright, but flied in the hospital this after-noon. His suicide was witnessed by a score of persons near the crossing at the time.

\$1950 DEMOREST SEWING MACHINES CALL AND SEE THEM. 17 East 14th Street, NewYork.

THE WOMEN LET HIM GO. After Tying Up the Burgiar They Captured

SCRANTON, Feb. 26.-Charles J. Burnham, a young farmer of Fox township, went to Williamsport on Monday, and, as he expected to be gone for two nights, Mrs. Burnham got her sister, Miss Mabel Stark, to stay with her while her husband was away. They slept in a front room up stairs, and along in the night Miss Stark thought she heard some one talking in a low tone to a dog that had a bed of straw under the porch. She listened, and, not hearing the muffled sound again, she went to sleep without telling her sister about it. Being away from home Miss Stark didn't sleep soundly, and she awoke again within half an hour. This time she imagined she heard some one tiptoeing in the next room, and she awoke one tiptoeing in the next room, and she awoke Mrs. Burnham and told her about it in a whisper. They talked under the bed clothes for a minute or so, and then Miss Stark got up and went to a stand to light the lamp.

As she was about to touch the match to the wick some one blew it out, a hand grabbed her wist, and a man's voice told her not to make any noise and she wouldn't be harmed. Both women screamed at the sound of the man's voice, and then Miss Stark grappled with the burglar and threw him on the floor. She weighs 165 pounds, hard work on the farm has made her strong, and she got the burglar by the threat and held him down until Mrs. Burnham lighted the lamp. The man kicked and struggled to get up, but Miss Stark was more than a match for him, and when Mrs. Burnham turned the light on his face they found that he was a dirty-looking fellow, apparently about 30 years old.

"What business had you to break in this house and scare us the way you did?" Miss Stark asked him as she held him to the floor, and the man said he hadn't stolen anything and would leave the house immediately if she would let him. He said he was half sick and hadn't had anything to eat in thirty hours, and he begged the women to take pity on him. Mrs. Burnham searched his pockets, but found nothing, and Miss Stark said to the man:

"I believe you're lying. You look like a thief, and you would have stolen all we had if I hadn't caught you. Mary, go and get a bed cord." Mrs. Burnham fetched a cord, and then they tied his less and arms and let him lie on the floor until daylight, although he begged hard for his freedom and promised not to harm them. The man had no weapon in his Mrs. Burnham and told her about it in a whisthen they tied his legs and arms and let him lie on the floor until daylight, although he begged hard for his freedom and promised not to harm them. The man had no weapon in his pockets, and he takked so pitifully that the women released him after daylight. He quickly disappeared in a piece of woods, and Miss Stark discovered that he had entered through a back window on the ground floor. Mrs. Burnham found the dog dead under the porch, and then they were both provoked at having taken pity on him.

CHILDREN NOT PREFERRED HEIRS. The Contest Over the Will of Millionaire

Thomas W. Pierce Ended. Boston, Feb. 26.-The controversy over the will of Millionnire Thomas W. Pierce has been settled by a decision which the full bench of the Supreme Court sent down to-day. Mr. Pierce left in one part of his will \$150,000 in trust for his daughter and \$100,000 in trust for his son. and in another part of the will gave \$1,000,000 in trust to the guardians of each of the children. In another part of the will the testator made bequestate relatives aggregating a little more than \$500,000. The estate did not prove to be large crough to cover the bequests to the children. They contended that it was the intention of their father that the legacies to them should be preferred. The Court says:

"In our orderion there is nothing to warrant a presumption that the tostator intended to prefer his children. The will shows that the testator thought it doubtful whether any part of the income of the million dollars would be applied to that purpose. There are specific gitts of considerable value, so that it cannot be said that there is no other provision for the children." The legacies to relatives and public charities in the will, outside of those to the son and daughter, amount to about \$1.700,000, and it is thought that each legate will receive about 70 per cent, of the sum left in the will. more than \$500,000. The estate did not prove

To Promote Trade with Cuba, MINNEAPOLIS. Feb. 26.-A party of millers of the Northwest will leave this city to-night for Havana, Cuba, for the purpose of making arrangements to begin a trade in flour with arrangements to begin a trade in hour with the Spanish island. At Chicago and other cities the party will be joined by a number of persons interested in the Cuban flourtrade. Before the reciprocity treaty went into effect Cuba had a tariff of \$5.85 per 200 pounds on flour, and therefore none from the United States could be sent there. Now this market is onen to American trade under the reci-procity arrangement.



THE GENUINE Johann Hoff's Malt Extract.

It is the best nutritive tonic in convalescence, dyspepsia, for the weak and debilitated. Beware of other extracts sold as "Hoff's" Malt Extrict. Always ask for the genuine "Johann Hoff's," which is imported from Berlin; most palatable and pleasant. For sale by all druggists. Eisner & Mendelson Co., Sole Agents and Importers of Mineral Waters, 6 Barclay street, New York